

REMARKS

The Examiner's action February 18, 2004, has been received, and its contents carefully noted.

In addition appreciation is expressed to Examiner Perrin, for his courtesy and constructive assistance during the personal interview held with undersigned counsel and applicant Gary Mishkin on March 29, 2004.

Substance of the interview

The substance of the interview related to the distinctions between the present invention and U.S. patent 6,050,278, Arnal et al., which was relied upon to support claim rejections in the previous Office Action. It was pointed out that Arnal discloses a dialyzer cleaning device that is composed of a housing having three openings, or ends, and two distinct flow paths. A first opening is provided to communicate with a header that is to be cleaned. A flow path for the delivery of cleaning liquid is provided between a second opening and the first opening. A second flow path for reverse flow of liquid is provided between the first opening and a third opening. The housing contains a flow directing element having a single operating position in which the tip of the flow directing element projects into the header being

cleaned. The patent states that the flow directing element could be constructed to retract into a stored position, possibly with the aid of a spring or other bias means. The patent specification does not disclose the location or precise mode of operation of such a spring and does not disclose that the flow directing element can be moved from one position to another in response to fluid flow.

The present invention is directed to a cleaning device that is substantially different in structure and operation from that disclosed by Arnal. In particular, the cleaning device according to the invention includes a housing that delimits a single passage that extends only between first and second ends. Flow of cleaning fluid and a backflush flow both take place, in respectively opposite directions, through that single passage. In addition, the cleaning device includes a flow directing element that is movable by fluid flowing through the single passage between a cleaning position and a backflush position. In view of these clear distinctions, it was agreed that applicant would further amend the claims to more clearly define these distinctions, and that the amendment would be considered.

Response To Office Action

In view of the matters discussed during the interview, independent claims 1 and 10 have been amended to specify that the housing has opposed first and second ends and delimits a single passage that extends in a flow direction only between the first and second ends. Claim 1, as originally presented, further specifies that the flow directing element is movable by fluid flowing to its flowing inlet into a cleaning position, while independent claim 10, as originally presented, further specifies that the flow directing element is movable into a backflush position in response to flow of fluid.

As a result of the substantial differences in structure and function between the present invention and the applied reference, the device according to the invention is structurally simpler and less costly to manufacture.

In view of these limitations appearing in the independent claims, the prior art rejection presented in the final action of February 18, 2004 is traversed and it is submitted that, for reasons set forth above, these claims now clearly distinguish over the disclosure of the applied reference.

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Amd. dated April 27, 2004
Reply to Office Action of February 18, 2004

Accordingly, it is requested that the prior art rejections be reconsidered and withdrawn, that the pending claims be allowed and that the application be found in allowable condition.

If the above amendment should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

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Appln. No. 09/918,541

Amd. dated ---

Reply to Office Action of February 18, 2004

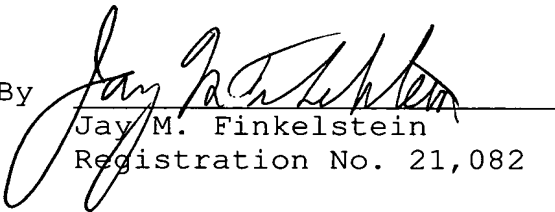
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